

FST FA 04 0201276S : SUPERIOR COURT  
SUZANNE NOWACKI : JUDICIAL DISTRICT  
VS. : STAMFORD, CONNECTICUT  
MICHAEL NOWACKI : NOVEMBER 23, 2009

B E F O R E:

HONORABLE MARY LOUISE SCHOFIELD

A P P E A R A N C E S:

REPRESENTING THE PLAINTIFF:

ATTORNEY KEVIN COLLINS

REPRESENTING THE DEFENDANT:

MICHAEL NOWACKI, SELF REPRESENTED

Kathy Jordan  
Court Recording Monitor

1           THE COURT:   Nowacki, Suzanne versus Michael.  
2           Would the parties please identify themselves for the  
3           record.

4           MR. COLLINS:   Good morning, Your Honor, Attorney  
5           Kevin Collins for the plaintiff Suzanne Nowacki now  
6           Suzanne Sullivan.

7           MS. REICH:    Good morning, Your Honor, Veronica  
8           Reich I'm attorney for the minor children Tim and  
9           Kerry Nowacki.

10          MR. NOWACKI:   Michael Nowacki, pro se.

11          THE COURT:    We are here on what motion?

12          MR. COLLINS:   Mr. Nowacki has a motion for  
13          contempt relative to what he claims is non compliance  
14          with prior discovery orders in this matter.   I have a  
15          motion for counsel fees, but the bigger issue is I  
16          suppose what we do as far as getting this case heard.  
17          Mr. Nowacki has claimed to have filed judicial  
18          grievance --

19          MR. NOWACKI:   Excuse me, Mr. Collins, I would  
20          appreciate to represent my position myself and not  
21          have you represent my position.   Thank you.

22          MR. COLLINS:   That having been said, Your Honor,  
23          Mr. Nowacki has claimed to have filed judicial  
24          grievances against Your Honor, Judge Schofield, Judge  
25          Malone, and Judge Shay.   He has filed a grievance  
26          against me.   He has filed 211's which are obstruction  
27          of justice complaints with the federal government

1           against myself, my associate, Lacie Bernier who is  
2           the GAL in this matter, and Attorney Tom Colin who is  
3           sitting in the courtroom. He has told Mr. Colin a  
4           grievance is forthcoming against him.

5                   He has told Mr. Nusbaum this morning a grievance  
6           is forthcoming against him. He has told Attorney  
7           Reich that he is filing a criminal complaint against  
8           her for depraved indifference, whatever that means.  
9           Judge Harrigan is recused from hearing this case for  
10          reasons dating back to the judgment which he didn't  
11          approve back in June of '05.

12                   All that having been said I'm not sure what the  
13          Court intends to do with regard to any motions which  
14          come before it because I don't necessarily agree that  
15          the filing of a judicial grievance against the three  
16          judges who are sitting today mandates a recusal by  
17          any or all of those three judges.

18                   If this Court feels differently then there is  
19          only one judge who has not been so grieved because  
20          Mr. Nowacki perceives, I believe, that he is getting  
21          a favorable hearing from Judge Novack on a motion  
22          which started in April and which is continuing next  
23          week.

24                   In short, Your Honor, I think this matter needs  
25          to go to Middletown. That is what I think needs to  
26          happen. So, I think that the pending motion before  
27          Judge Novack is a clear attempt to manipulate this

1 courthouse, to manipulate who will hear his cases to  
2 rein terror upon everybody who has anything to do  
3 with this case. He was the front page of the Darien  
4 Times on Thursday because of the complaints he has  
5 filed against St. Thomas Moore Church.

6 He's written terrible to Attorney Reich, I'm a  
7 big boy I can take those things, but she is the  
8 attorney for the children. He has written terrible,  
9 terrible things to her. He's tried to manipulate  
10 this court I think that if we get up to Middletown I  
11 think that Mr. Nowacki will understand that he just  
12 can't do this sort of thing.

13 So, I respectfully request that the matter be  
14 transferred and the pending hearing before Judge  
15 Novack be mistried. This is something that Your  
16 Honor did in Colon. There was a pending hearing for  
17 alimony and intent for modification in that. The  
18 transfer to Middletown necessitated that.

19 To do otherwise is to give Mr. Nowacki his way  
20 to get it to the one judge who he perceives to be the  
21 judge who will give him the most favorable hearing,  
22 until he doesn't, and then Judge Novack will be  
23 grieved and then there will be no judges to sit  
24 family who have not been grieved and no lawyer that  
25 has ever even looked at this case who has not been  
26 grieved.

27 MR. NOWACKI: I would ask Mr. Collins last

1 comment to be stricken from the record.

2 THE COURT: It's a fact.

3 MR. COLLINS: So, Your Honor, I would  
4 respectfully suggest --

5 MR. NOWACKI: It's not a fact, Your Honor.

6 THE COURT: What was the last comment?

7 MR. COLLINS: I don't even know. Something  
8 about the --

9 MR. NOWACKI: Speculation as to what would  
10 happen, it is inappropriate.

11 MR. COLLINS: His correspondence to me which I  
12 would be happy to read to the Court suggests that the  
13 only judge that can hear this matter sitting family  
14 is Judge Novack. I can dig that up in my Blackberry  
15 and I can read that verbatim to this Court because  
16 that is his position.

17 If his position is otherwise I put it to him,  
18 but this is the most clear manipulation, or attempt,  
19 that I've ever seen, and I don't think this Court  
20 will stand for it. I think Attorney Reich would  
21 probably join in the application to move this to  
22 Middletown so that we deal with it up there and they  
23 will deal with this situation effectively.

24 THE COURT: Mr. Nowacki.

25 MR. NOWACKI: On February 22, 1809, Sir Walter  
26 Scott wrote a famous poem the best line of which is  
27 well remembered: Oh what a tangled web we weave when

1 first we practice to deceive. From the moment that  
2 Kevin Collins was put on this case he has engaged in  
3 the absolute --

4 THE COURT: Just a minute, Mr. Collins was not  
5 put on this case.

6 MR. NOWACKI: He was put on this case after  
7 Attorney Colin resigned from the case, and the reason  
8 why Attorney Colin resigned from the case --

9 THE COURT: Mr. Nowacki, the request here is  
10 whether or not the matter should be transferred to  
11 Middletown.

12 MR. NOWACKI: There are two motions that are on  
13 the table today for Your Honor to hear.

14 THE COURT: Who are you suggesting that the  
15 motions be heard by?

16 MR. NOWACKI: I have no problem with my motion  
17 for the information that relates to the subject of  
18 the non production of items going back to the June  
19 15, order of Judge Shay, it should go back to Judge  
20 Shay.

21 I attempted to have that motion heard on October  
22 13, but because Kevin Collins made the argument that  
23 because Judge Malone had given a protective order and  
24 all he did was to reaffirm what Judge Shay ordered on  
25 June 15, be provided to me in the court on September  
26 the 10<sup>th</sup>. Those materials, which Kevin Collins  
27 delivered to me through Ami Jayne Wilson, his

1           associate, resulted in by the way a series of  
2           documents that were incomplete.

3           THE COURT:   So, you would like your motion  
4           referred to Judge Shay?

5           MR. NOWACKI:   Yes, I would.

6           MR. COLLINS:   Well, the problem is he is not  
7           agreeing for my motion to be referred to Judge Shay.

8           MR. NOWACKI:   No.   His motion I'm asking for a  
9           continuance on because Attorney Collins has refused  
10          to give me any documentation in regard to his  
11          attorney's fees, none.   I've made three email  
12          requests and I had a properly served motion because  
13          he refused to cooperate and had that served last  
14          Thursday.

15          MR. COLLINS:   He had it served on Thursday and  
16          it's not in compliance, Your Honor.   I don't know  
17          what it is even.   If it's a request for production I  
18          have thirty days.   If it's a request to produce at  
19          hearing it has to be at least five days in advance,  
20          and it's not.   Whether it's either of those vehicles  
21          it is not in compliance with the Practice Book.

22          MR. NOWACKI:   Your Honor, the issues here  
23          involve the misuse of this system of justice by  
24          Attorney Collins.   On April the 10<sup>th</sup>, I filed my  
25          request for production to Attorney Collins.   What did  
26          he do?   He waited right up until the last minute on  
27          April 28<sup>th</sup>, before the first hearing in front of

1 Judge Novack and he filed an objection to every  
2 single item.

3 THE COURT: Mr. Nowacki, let me ask you a  
4 question, do you believe that Judge Shay is going to  
5 want to hear your motion in light of the fact that  
6 you --

7 MR. NOWACKI: I think Judge Shay will give me a  
8 fair hearing today because he was the judge that  
9 ordered the production.

10 THE COURT: After you filed a grievance against  
11 him?

12 MR. NOWACKI: Yes. I'm okay with today with  
13 that motion being heard in front of Judge Shay  
14 because I have to have this production to move  
15 forward with the original motions for modification  
16 that were started on April the 29<sup>th</sup> with Judge  
17 Novack.

18 We will be done with those motions on the 2<sup>nd</sup>  
19 and 3<sup>rd</sup>, and all this is just another attempt by  
20 Attorney Collins himself to manipulate this system by  
21 virtue of his position as an officer of the court.  
22 It is preposterous I filed my motion for modification  
23 in September of last year. It took me less time to  
24 get divorced than it did to have this motion heard in  
25 its entirety.

26 Attorney Collins has basically done everything  
27 he possibly could in this process to make production



1           difficult. He tried to implicate me in Suzanne's  
2           family's tax fraud that goes back to the grandmother  
3           dying in 2003. On February 22, 2009, in my attic I  
4           found a wire transfer from the Swiss Bank Corporation  
5           dated January 20, 2005. I immediately notified  
6           Attorney Tom Collin about this subject because at  
7           that point in time I'm reading the train every single  
8           morning in the Wall Street Journal and I'm reading  
9           about all of these people who parked estate money  
10          overseas in Switzerland, and I said to Attorney  
11          Collins --

12                 THE COURT: But that is not before me, Mr.  
13          Nowacki.

14                 MR. NOWACKI: Your Honor, you have to have the  
15          background of what --

16                 THE COURT: I don't need to have the background.

17                 MR. NOWACKI: Your Honor, he is asserting to me  
18          that I am manipulating this process and that is an  
19          absolute falsehood. All I'm trying --

20                 THE COURT: Mr. Nowacki, have you filed  
21          grievances against Judge Shay?

22                 MR. NOWACKI: Yes, I did. I filed it in the  
23          context of --

24                 THE COURT: And did you file a grievance against  
25          myself?

26                 MR. NOWACKI: I did, Your Honor, for a good  
27          reason.

1           THE COURT: And did you file a grievance against  
2 Judge Malone?

3           MR. NOWACKI: For good cause.

4           THE COURT: And what judge is left here, Mr.  
5 Nowacki?

6           MR. NOWACKI: Judge Novack is left here.

7           THE COURT: And how many days a week does Judge  
8 Novack work?

9           MR. NOVACKI: We have hearings in front of Judge  
10 Novack on December 2<sup>nd</sup> and 3<sup>rd</sup> and we're done with the  
11 motions for modification, the motion for contempt,  
12 and we're out of here.

13          THE COURT: All right. Please be seated, Mr.  
14 Nowacki. Mr. Colin, do you have anything that you  
15 would like to add?

16          MR. COLIN: No, Your Honor. I'm not in this  
17 case I'm here waiting for a stipulation.

18          THE COURT: I'm sorry I thought that there was  
19 an allegation that a grievance was being filed  
20 against you.

21          MR. COLLINS: There is, Your Honor, he is  
22 predecessor counsel it's Mr. Nowacki's position that  
23 Mr. Colin has obstructed justice just like everybody  
24 else.

25          THE COURT: That's the clarification.

26          MS. REICH: Good morning, Your Honor. The  
27 motions that are actually on the calendar today, the

1 motion for fees and the motion for contempt regarding  
2 discovery I have no interest in that fight. I  
3 normally wouldn't waste the party's time and money,  
4 and I wasn't planning to come. What does interest  
5 me, however, is this procedural issue that has been  
6 now discussed by the parties.

7 Mr. Collins referred to terrible things that had  
8 been said about me; he mentioned he was a big boy and  
9 I'm a big girl and I'm not terribly concerned about  
10 that either. I will deal with anything that has been  
11 said about me, to me, grieved me, I'm confident in  
12 what I do and what I say.

13 My only concern with reference to Mr. Nowacki's  
14 statements are its effect on my relationship with the  
15 children and the effect on the children. My only  
16 concern is that I have received a number of  
17 statements from Mr. Nowacki that clearly indicate  
18 that he is discussing me and court matters with  
19 Kerry, and that's of grave concern to me.

20 So, because of all the issues that are going on  
21 and the only matter that was heard before Your Honor  
22 that I've been involved in has been the motion to get  
23 a psychological evaluation which Your Honor granted.

24 THE COURT: That's right.

25 MS. REICH: All of the things that I've  
26 discussed I think are relatively peripheral. We  
27 haven't dealt with any of the substantive claims yet.

1        Maybe there is tax fraud or maybe there are all kinds  
2        of misrepresentations or alienation going on here. I  
3        don't know, we don't know, but we need the psych eval  
4        so we can get additional information to proceed with  
5        this case. That has already been ordered and it has  
6        already begun.

7                I've contacted Dr. Robson and I think some  
8        appointments have been made so my only concern is the  
9        Court should know that statements have been made to  
10       Kerry about me and about the case and because of all  
11       these facts and circumstances I would join in the  
12       request to send this to Middletown.

13               I think that they don't have the volume that the  
14       courts have here in terms of short calendar and a  
15       myriad of cases. We can get consecutive days to hear  
16       things in Middletown, all the reasons that Your Honor  
17       knows so well. I think it belongs there and I join  
18       in that request.

19               THE COURT: Thank you.

20               MR. NOWACKI: Your Honor, I would like to  
21       respond to some of the things that Attorney Reich  
22       said. What I have seen in the course of these  
23       processes is selective recall on behalf of  
24       information that is given to Attorney Reich, and some  
25       of which she has refused to even consider to look at  
26       that indicate very clearly what an involved parent  
27       that I have been with these two children's lives for

1 the last four years.

2 THE COURT: Are you discussing this case with  
3 your children?

4 MR. NOWACKI: Your Honor, I will tell you that I  
5 asked --

6 THE COURT: I asked a question.

7 MR. NOWACKI: Your Honor, I am going to give you  
8 a direct answer to that question.

9 THE COURT: It's either a yes or a no.

10 MR. NOWACKI: No, it isn't a yes or no.

11 THE COURT: Then please sit down if you're not  
12 going to answer me and follow the direction of the  
13 Court.

14 MR. NOWACKI: Your Honor, I have the ability to  
15 respond in a manner --

16 THE COURT: Marshal.

17 THE MARSHAL: Have a seat, sir.

18 MR. NOWACKI: -- that is appropriate. It is not  
19 a yes or no question.

20 THE MARSHAL: Have a seat.

21 THE COURT: Sit down, Mr. Nowacki. I am  
22 referring the matter up to Judge Shay. If he decides  
23 that he wants to hear your motions that's one thing,  
24 and if he decides that he doesn't want to hear the  
25 motions for whatever reason you will come back down  
26 here and I will make a decision.

27 MR. COLLINS: Yes, Your Honor, thank you.

1           THE COURT: Marshal, is there an outside  
2 marshal?

3           THE MARSHAL: No, Your Honor.

4           THE COURT: All right. Attorney Reich, are you  
5 going upstairs?

6           MR. REICH: I have a matter before Judge Malone,  
7 Your Honor, and as soon as that is done I will  
8 certainly go upstairs.

9           MR. NOWACKI: What courtroom is Judge Shay in,  
10 please?

11          THE COURT: 6F.

12          MR. NOWACKI: Thank you.

13          (Back on the record)

14          THE COURT: Is Attorney Reich here?

15          MR. COLLINS: She is not in the courtroom, Your  
16 Honor. She is in the courthouse; I don't know if  
17 Your Honor needs her at this moment in time. Judge  
18 Shay has declined to hear us today and we've returned  
19 to Your Honor for Your Honor's suggestion.

20          THE COURT: So, why don't you just step forward,  
21 please.

22          MR. COLLINS: Yes, Your Honor.

23          THE COURT: What did Judge Shay say?

24          MR. COLLINS: What Judge Shay said, Your Honor,  
25 was that he just received the judicial grievance on  
26 Friday afternoon. It is essentially a litany of all  
27 of the cannons (sic) that he has violated without any

1 real substantial backup.

2 His position is it would be inappropriate for  
3 him to hear anything on this case at this time. He  
4 did not rule himself out in the future and I think  
5 his position is he has a judicial grievance received  
6 from Mr. Nowacki. He doesn't know exactly what Mr.  
7 Nowacki is alleging against him. He opined that if  
8 the hearing went forward today and he ruled in Mr.  
9 Nowacki's favor that I could possible infer that the  
10 Court was intimidated by the fact that the grievance  
11 was filed.

12 Mr. Nowacki, like the grievance he has filed  
13 against me, alleges a lot of things without any  
14 substantial backup. I don't know what the grievance  
15 committee is going to do with that. I don't know how  
16 I can respond until I see everything that Mr. Nowacki  
17 intends to try to prove, and I think not unlike that  
18 Judge Shay declined to act today.

19 So, per Your Honor's recommendation we are back  
20 here. I think this is just a problem we are going to  
21 run into here because of what Mr. Nowacki has done.  
22 He has interestingly twisted it around into my  
23 manipulation of the Court. I don't care what judge  
24 we're in front of but I will not, myself, stand for  
25 Mr. Nowacki trying to manipulate the system in front  
26 of one judge and that's why I think Middletown is the  
27 right place for this case, Your Honor.

1           I think they are equipped to do it and this  
2           congests the local calendar needlessly and  
3           unreasonably and Mr. Nowacki has hoisted on his own  
4           petard. He can't pick and choose whether or not  
5           Judge Shay can hear his motion and not my motion.  
6           It's just not workable. I respectfully request and I  
7           renew my application, and Attorney Reich has  
8           supported it, that this matter be moved to Middletown  
9           and that the pending hearing before Judge Novack be  
10          mistrried.

11          MR. NOWACKI: I would like to respond, Your  
12          Honor. I believe that, and you would have to check  
13          the date, a week ago last Thursday there was a fax  
14          sent to the judicial chambers which outlined issues  
15          and I asked that be distributed to all three judges.

16          THE COURT: That is not allowed.

17          MR. NOWACKI: I understand but I made an effort  
18          to communicate the allegations is what I'm attempting  
19          to communicate to the Court. Whether it's allowed or  
20          not I was completely transparent about the process.

21          THE COURT: We are not allowed to receive any  
22          communications from individuals whether or not they  
23          are represented by counsel or if they are self  
24          represented.

25          MR. NOWACKI: I'm aware of that but I also did  
26          not want the judges to be blind sighted by this  
27          situation because I don't operate that way. Despite



1       some allegations that have been made recently in this  
2       courtroom which I -- part of my problem is that I  
3       informed Attorney Reich I did not threaten her in  
4       regards to her complicity issue. The day before we  
5       were here in court I filed a form 211 with the  
6       Internal Revenue Service indicating that she refused  
7       to look at evidence even for the children's accounts  
8       as it related to the non filing of taxes.

9               THE COURT: But that is inappropriate, Mr.  
10       Nowacki. You cannot just send letters to people  
11       making allegations without having a full and fair  
12       hearing so both sides can be heard.

13              MR. NOWACKI: Your Honor, I fully understand  
14       that but when I attempted to put that information  
15       into the court record Your Honor refused.

16              THE COURT: We weren't having a hearing and it  
17       had no bearing whatsoever on whether or not there  
18       should be a psychological evaluation.

19              MR. NOWACKI: It certainly in my view did not  
20       allow me an appropriate opportunity to respond to a  
21       number of misstatements that were made by Attorney  
22       Reich particularly as it related to the subject of  
23       threats. I never threatened anyone. I informed her  
24       that there was a 211 that had been filed. When you  
25       inform someone after the fact it is not a threat it's  
26       a piece of information that's all.

27              THE COURT: What is the purpose of that

1 information if it's not to intimidate them if we're  
2 in the middle of a hearing and she's representing  
3 your children and you oppose that representation.

4 MR. NOWACKI: Because what she didn't do at my  
5 request was to look at the children's tax returns.

6 THE COURT: Mr. Nowacki, we are not going to get  
7 into this. We are not going to get into substance.

8 MR. NOWACKI: I appreciate that we will be  
9 moving to Middletown and I have absolutely no issue  
10 whatsoever. I just have a couple of procedural  
11 questions in regard to --

12 THE COURT: I am not allowed to answer  
13 questions. You will have to direct whatever  
14 questions you have to Mr. Norm Roberts.

15 MR. NOWACKI: All right. In regard to the  
16 appointment of Dr. Robson --

17 THE COURT: That has already been done.

18 MR. NOWACKI: I am appealing that decision today  
19 based upon the mistrial that occurred today.

20 THE COURT: What mistrial that occurred today?

21 MR. NOWACKI: Well, we're moving it to  
22 Middletown.

23 THE COURT: There is no mistrial. There was a  
24 decision that was rendered and you agreed to Dr.  
25 Robson right on the record.

26 MR. NOWACKI: Your Honor, but at that point in  
27 time that was at a point in time that I had an

1 objection to the processes as they occurred that day.  
2 Your Honor cut me off at every opportunity where I --

3 THE COURT: When you were inappropriate, you  
4 were not addressing the issues before the Court. You  
5 can file whatever you want.

6 MR. NOWACKI: And I have and that will come up  
7 and I will file the appropriate Appellate requests to  
8 review the decision this afternoon.

9 THE COURT: Fine.

10 MR. NOWACKI: That is all I want to do is say I  
11 have a process which I have the ability to go through  
12 and I intend to proceed with that.

13 THE COURT: And no one is preventing you, sir.

14 MR. NOWACKI: Thank you, Your Honor. I  
15 appreciate that.

16 THE COURT: You're welcome.

17 MR. COLLINS: Your Honor, Mr. Nowacki has  
18 suggested that he is not threatening. This is what  
19 he has sent to the attorney for his children today:  
20 Please be advised of my application for the  
21 vindictive, malicious, devious, and narcissistic  
22 conduct which has characterized the conduct of Kevin  
23 F. Collins and has resulted in the statewide bar  
24 counsel's acceptance of my complaint against him  
25 which was received via certified mail on Saturday.

26 Your version of selected edited biased  
27 commentary in court which was so self serving as to

1 be characterized as a lack of competence will be  
2 filed by the end of this week. Again, a heads-up or  
3 a threat? I'll let the Court decide on that.  
4 Indeed, the Court has already alluded to the fact  
5 that apparently Mr. Nowacki has at least attempted to  
6 engage in ex parte communications with this Court, as  
7 Your Honor had indicated, and Mr. Nowacki agreed that  
8 he had sent some letters somehow that got to  
9 chambers, entirely inappropriate.

10 To go on, what he wrote to Attorney Reich this  
11 morning, which are an absolutely fact void  
12 presentation of evidence and your complicity and  
13 lawyerly fellowship to the detriment of your clients  
14 will net you the same opportunity to defend yourself.  
15 Threat or a heads-up?

16 Get yourself a good lawyer as you will need one  
17 if you ever hope to practice law again, threat or a  
18 heads-up? The failure of you to even look at  
19 evidence of misconduct on behalf of your clients show  
20 your depraved indifference to Kerry and Tim's best  
21 interests. Good luck in our defense.

22 Fortunately, all the evidence of wrong doing  
23 which you didn't even look at including transcripts  
24 of testimony that was perjury personified will cause  
25 you some sleepless nights when you suffer the  
26 consequences of your non compliance with your  
27 professional code of conduct and your defiant defense

1 of your failure to even inspect the tax returns for  
2 the children, and the failure to comply with  
3 inheritance laws which has extraordinary implications  
4 on the life of Kerry and Tim.

5 Nice going, counselor, you will earn your  
6 stripes when my lawsuit is filed against you for your  
7 failure to perform your duties and in the process  
8 defend yourself against a sinister form of child  
9 abuse in your failure to represent your clients  
10 express desire to leave the current shared custody  
11 arrangement in place.

12 Get ready for your version of a nuclear whiteout  
13 of paper that will suffocate you with your own words  
14 of malice. Good luck, you will need it. Heads-up or  
15 a threat? Let's send this case to Middletown.

16 THE COURT: I want a transcript of that.

17 MR. NOWACKI: Your Honor, very clearly the  
18 reason why I waited to file this --

19 THE COURT: Did I ask you for any excuse?

20 MR. NOWACKI: Was to allow for today's  
21 transcript to again illustrate the point, and that is  
22 why it wasn't filed.

23 THE COURT: I want a copy of that transcript in  
24 the file.

25 MR. NOWACKI: Not a problem.

26 MS. REICH: I walked into the middle of this  
27 hearing, I apologize, I was with Judge Malone.

1 THE COURT: That's fine.

2 MS. REICH: Do I assume correctly that Judge  
3 Shay did not hear the motion?

4 MR. NOWACKI: That's correct.

5 THE COURT: He did not hear the motions.

6 MR. REICH: As long as my name was thrown around  
7 here on this part of the hearing I do wish to note  
8 for the record that I did get those emails from Mr.  
9 Nowacki and I forwarded them to Attorney Collins just  
10 in the interest of having everybody know everything.

11 I'm having trouble reading from a Blackberry now  
12 so that is why Mr. Collins read it into the record  
13 for me. Again, I can handle all that from Mr.  
14 Nowacki, and as Your Honor indicated he can file what  
15 he wants. My concern is what is being said not to  
16 the Court, not to Mr. Collins, not to me, anyone  
17 except for the children.

18 THE COURT: How old are the children, again?

19 MS. REICH: They were both born in November.  
20 Tim was just 15 and Kerry was just 12 --

21 MR. NOWACKI: She just turned 13. Would you  
22 also like to tell the Court about the other half of  
23 the story here, about what is going on with parental  
24 alienation and things being said to Tim that didn't  
25 come from me --

26 THE COURT: That is not an issue before the  
27 Court.

1           MR. NOWACKI: -- Yes, it is. It's  
2 inappropriate.

3           THE COURT: It is not an issue before this Court  
4 today. You are excused.

5           MR. COLLINS: Are we transferred, Your Honor?

6           THE COURT: I have to talk and see whether  
7 Middletown will accept this case.

8           MR. COLLINS: Yes, Your Honor. Anything that  
9 would furnish business today is off, Your Honor?

10          THE COURT: Anything that would furnish business  
11 is off today.

12          MR. NOWACKI: And you will communicate to the  
13 parties in what fashion?

14          THE COURT: It will go through the appropriate  
15 channels.

16          MR. NOWACKI: So, there will be a written  
17 communication received at my home?

18          THE COURT: I don't know.

19          MR. NOWACKI: Okay. Thank you.

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FST FA 04 0201276 S : SUPERIOR COURT  
SUZANNE NOWACKI : JUDICIAL DISTRICT  
VS. : STAMFORD, CONNECTICUT  
MICHAEL NOWACKI : NOVEMBER 23, 2009

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C E R T I F I C A T I O N

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I, Kathy Jordan, hereby certify the foregoing pages  
are a true and accurate transcript of the recorded  
proceedings of the above referenced case, heard before the  
Honorable Mary Louise Schofield Judge, in the Stamford  
Superior Court, Stamford, Connecticut, on the 23<sup>rd</sup> day of  
November 2009.

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Kathy Jordan  
Court Recording Monitor